

AMENDMENTS TO THE DRAWINGS

Applicants have amended Fig. 2B to show that the "No" arrows from decision blocks 210 and 225 point back to the "Start". A new sheet including both Fig. 2A and Fig. 2B is included with this response. Support for this amendment can be found at Page 7, l. 1-Page 8, l. 30.

REMARKS

Claims 1, 2, 4, 5, 7-19, and 21-26 were examined. All of these claims were rejected. In response to the above-identified Final Office Action, Applicant amends claims 1, 4, 5, 7-10, 14, 21, 23 and 24. Claims 27-33 have been added and claims 3, 6, 16-20 and 22 have been cancelled. Examination of the new claims and reconsideration of the rejected claims in light of the aforementioned amendments and the following remarks is requested. Support for the amendments and new claims are at p. 11, ll. 3-17, and elsewhere in the Specification.

I. Claims Rejected Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1, 2, 4, 5, 7-19, 21, and 22 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,401,183 issued to Rafizadeh (*Rafizadeh*) in view of U.S. Patent No. 6,385,721 issued to Puckette (*Puckette*). Applicant believes that the amended claims are not obvious in view of the material in *Rafizadeh* and *Puckette* and that they contain elements neither present in, obvious in view of, nor taught or suggested by, the references of record.

Claims 1, 10, 16 and 23 recite a method comprising a number of operations, including a “handshake.” The element of establishing a handshake – as the Examiner concedes in the discussion of claim 1 at paragraph 4 of the current Office Action – is not taught or suggested by *Rafizadeh*.

The Examiner rejected claims 1, 10, 16 and 23 as unpatentable over *Rafizadeh* in view of *Puckette*. The latter reference allegedly teaches or suggests wherein the unlocking of the partition is initiated by establishing a proper unlock handshake between the software task and an IDE controller for the storage device. However, Applicant has carefully reviewed *Puckette*, paying particular attention to the cited portions at c. 7, ll. 47-58, and has been unable to locate an operation like the claimed unlocking handshake.

As far as Applicant can determine, *Puckette* describes storing special stand-alone utility programs, BIOS instructions, and/or other data in a “bootable utility program” area within a hibernation partition of a mass storage device (*see* c. 2, ll. 43-45; c. 6, ll. 56-60; and Fig. 2, element 56). Various methods for accessing and using the materials in the bootable utility program area are discussed, but there seems to be nothing like the claimed handshake, let alone a handshake between a software task and an IDE controller, as claim 1 recites. Instead, *Puckette* relies on the fact that the hibernation partition is marked inactive to control access to the partition from a bootable operating system (*see* c. 8, ll. 36-47), while the BIOS ignores the inactive flag when it wishes to access the partition. *Puckette* characterizes being hidden (i.e., unavailable) from the operating system as flagging the partition as inactive/unbootable. *See* c. 6, ll. 51-55, c. 7, ll. 3-8, c. 8, ll. 44-46. But, *Puckette* teaches that the BIOS reads and writes to the hidden partition. Therefore, the partition must be both visible and accessible to the BIOS.

Puckette teaches gaining access to the bootable utility program 56 within the hibernation partition by modifying the BIOS mass storage routine to detect and alter reads from the mass storage device’s partition table (c. 9, ll. 17-34). Therefore, instead of being hidden from the operating system, the boot utility program 56 simply ignores the fact that the partition is marked inactive. Ignoring a flag and changing table entries are patentably distinct from a handshake.

Applicant has amended claim 1 to recite “the unlock handshake [includes] an alteration of an electrical signal on an IDE controller interface line” to expedite prosecution of the application. Support for these amendments is at p. 11, ll. 3-17, and elsewhere in the Specification. Applicant believes that the cited claim language is not made obvious by ignoring flags and/or modifying the partition table as in *Puckette*. For at least the foregoing reasons, Applicant submits that claim 1 is patentable over the references of record, and respectfully requests that the rejection be withdrawn.

Claim 10 has also been amended to include elements similar to the aforementioned elements of claim 1. For at least the reasons identified in support of the

amended claim 1 language, Applicant requests reconsideration and withdrawal of the rejection of claim 10.

Applicant has amended claim 16 to recite “the IDE controller initiating an unlock request to unlock the secure-private partition in response to an alteration to an electrical signal on a line between the IDE controller and the hardware supporting the security/privacy software task.” Applicant has reviewed both *Puckette* and *Rafizadeh* and is unable to find where either reference teaches or suggests the cited claim language. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 16.

With regard to claim 23, Applicant has amended this claim to recite “the handshake [includes] altering an electrical signal on an IDE controller interface line causing the partition to be unlocked.” For the aforementioned reasons in regard to claim 1, Applicant believes that the cited references do not teach this specific type of handshake. Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 23.

As to claims 2, 4, 5, 7-9, 11-15, 17-19, 21, 22, and 24-26, those claims depend on claims 1, 10, 16 and 23, respectively, and are patentable for at least the reasons discussed in support of that base claim. Applicant respectfully requests that these rejections be withdrawn as well.

II. New Claims

New claims 27-33 include language similar to the amended language discussed above in regard to claims 1 and 10. Thus, Applicant believes that these claims are patentable for at least the reasons discussed in support of claims 1 and 10.

CONCLUSION

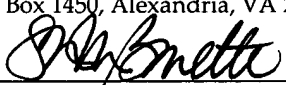
In view of the foregoing, it is believed that all claims now pending, namely claims 1, 2, 4, 5, 7-15, 21, 23-26 and new claims 27-33, patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207-3800.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Dated: May 31, 2006


Thomas M. Coester, Reg. No. 39,637

12400 Wilshire Boulevard Seventh Floor Los Angeles, California 90025 (310) 207-3800	<p style="text-align: center;"><u>CERTIFICATE OF MAILING</u></p> <p>I hereby certify that the correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage on the date shown below addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450</p> <p style="text-align: center;"></p> <table border="0" style="width: 100%;"><tr><td style="width: 60%;">Susan M. Barrette</td><td style="width: 40%; text-align: right;">May 31, 2006</td></tr></table>	Susan M. Barrette	May 31, 2006
	Susan M. Barrette	May 31, 2006	